United Nations S/2004/728

Security Council

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Draft resolution

The Security Council,

Reaffirming all its previous resolutions and statements pertaining to the situation between Ethiopia and Eritrea, and the requirements contained therein, including in particular resolution 1531 (2004) of 12 March 2004,

Stressing its unwavering commitment to the peace process, including through the role played by the United Nations Mission in Ethiopia and Eritrea (UNMEE), and to the full and expeditious implementation of the Comprehensive peace agreement signed by the Governments of Ethiopia and Eritrea (hereinafter referred to as "the parties") on 12 December 2000 and the preceding Agreement on the Cessation of Hostilities of 18 June 2000 (S/2000/1183 and S/2000/601, respectively, hereinafter referred to as the "Algiers Agreements"), and the delimitation decision by the Boundary Commission of 13 April 2002 (S/2000/423), embraced by the parties as final and binding in accordance with the Algiers Agreements,

Recalling that lasting peace between Ethiopia and Eritrea as well as in the region cannot be achieved without the full demarcation of the border between the parties,

Noting with concern in this regard the lack of progress made in the demarcation of the border, as reflected in the Fourteenth report on the work of the Eritrea-Ethiopia Boundary Commission of 20 August 2004, which concludes that under the present circumstances the Commission is unable to progress with demarcation activities,

Expressing its concern about Ethiopia's ongoing rejection of significant parts of the Boundary Commission's decision, and its current lack of cooperation with the Boundary Commission,

Expressing disappointment about the continuing refusal of Eritrea to engage with the Secretary-General's Special Envoy for Ethiopia and Eritrea, whose good offices represent a concrete opportunity for both parties to move the peace process forward,

Recalling the recent increase in United Nations Peacekeeping activities and the need to allocate peacekeeping resources in the most effective manner, and *recalling* in this regard the additional burden caused by the delays in the demarcation process,

Having considered the report of the Secretary-General (S/2004/708) and fully supporting the observations made therein,

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1. *Decides* to extend the mandate of UNMEE until 15 March 2005;

2. *Approves* the adjustments to UNMEE, including its presence and operations, as recommended by the Secretary-General in his report in paras. 13-18;

3. *Calls upon* both parties to cooperate fully and expeditiously with UNMEE in the implementation of its mandate, to ensure the security of all UNMEE staff, and to remove immediately and unconditionally all restrictions on and impediments to the work and full and free movement of UNMEE and its staff;

4. *Takes note* of positive developments in some areas of relations between UNMEE and both parties, *welcomes* in this regard particularly the recent decision by Ethiopia to allow a direct high-altitude flight route between Asmara and Addis Ababa without any deviation, *urges* Ethiopia and Eritrea to take immediate steps, in consultation with UNMEE, towards implementing the direct flights between the two capitals; and also in this regard calls upon Eritrea to reopen the Asmara to Barent road;

5. *Stresses that* Ethiopia and Eritrea have the primary responsibility for the implementation of the Algiers Agreement and the decision of the Eritrea-Ethiopia Boundary Commission and calls upon both parties to show political leadership to achieve a full normalization of their relationship, including through the adoption of further confidence-building measures;

6. *Calls on* the parties to cooperate fully and promptly with the Boundary Commission and to create the necessary conditions for demarcation to proceed expeditiously, including through the payment of Ethiopia's dues to the Boundary Commission and the appointment of field liaison officers;

7. *Urges* Ethiopia to show the political will to reaffirm unequivocally its acceptance of the Boundary Commission's decision, and take the necessary steps to enable the Commission to demarcate the border without further delay;

8. *Reiterates* its full support for the Secretary-General's Special Envoy for Ethiopia and Eritrea, Lloyd Axworthy, in his efforts to facilitate the implementation of the Algiers Agreements, the decision of the Boundary Commission and normalization of diplomatic relations between the two countries through his good offices, and emphasizes that this appointment does not constitute an alternative mechanism;

9. *Calls on* Eritrea to enter into dialogue and cooperation with the Secretary-General's Special Envoy for Ethiopia and Eritrea;

10. *Decides* to continue monitoring closely the steps taken by the parties in the implementation of their commitments under the relevant resolutions of the Security Council and under the Algiers Agreements, including through the Boundary Commission, and to review any implications for UNMEE;

11. *Requests* the Secretary-General to continue to monitor the situation closely, to review the mission's mandate in the light of progress made in the peace process and changes made to UNMEE;

12. *Decides* to remain actively seized of the matter.